

THE FORTY-FOURTH DAY

Not Much of Interest in the Senate.

CHANGES IN TAX ASSESSORS.

Questions Regarding the Tar and Feather Episode—Ages of Tax-payers—Importation of Foreign Cattle—Rep. Winston Propounds.

Forty-fourth Day.

TUESDAY, April 14.

Senator Holstein was the only absent member of the upper house Tuesday. After the opening exercises Minister King announced that the President had signed the bill on contested elections and the bill for reorganizing the judiciary.

A communication was received from the House, stating that Senate Bill No. 22, relating to private ways and water rights, had been replaced by a substitute bill; that House Bill No. 9, on widening Honolulu streets, had passed, and that the bill for the revision of the Civil Code had been killed, and in its place an item of \$8,000 added to the appropriation bill for the work to be done under the direction of the Executive.

The Committee on Passed Bills reported the House kerosene bill and the Senate bill relating to the Hilo Library Association as placed before the President.

Senator Waterhouse presented the report of the Finance Committee on referred sections of the Tax Bill.

Senator Brown, from the Judiciary Committee, reported a substitute for the live stock bill presented by Senator Wright; also a report from the same committee favoring the passage of the amendments to the law against gambling. The reports were tabled to be considered with the respective bills.

On motion of Senator Waterhouse, the Tax Bill, with the report of the Finance Committee, was taken up for consideration. The sections fixing the ages liable to poll, road and school tax at 20 and 60 years passed as recommended; also the sections regarding taxes on mortgaged property and the duties of assessors. Section 74, empowering the Minister of Finance to appoint three suitable persons on the Tax Appeal Board, thereby relieving the Circuit Judge from service on the board, passed after considerable discussion. The Attorney General championed the cause and was supported by Minister Damon and Senator Baldwin. Senators Hocking and McCandless questioned the advisability of making a change in a system that had always worked very well in the past. It was often advisable to have a judge on the board.

The amendment was adopted by a vote of 5 to 4, and the bill as a whole then passed the second reading. The report of the Committee on the gambling laws was adopted.

The substitute bill relating to the importation of live stock came up for second reading. Senator Brown explained that the only object of the bill was to place a penalty on imported cattle without a license, but it was a dead letter, as there was no penalty in event of failure to obtain a license.

Senator McCandless came out red-hot against the bill on the ground that it would result in shutting out United States cattle, favor local monopolies, and constitute another straw to help break the reciprocity treaty.

Minister Smith and Senator Brown did not see it in that light, and regarded it as merely carrying out a law already on the statutes.

Minister Damon believed that the interests of the United States in this country should be fostered in every manner possible. Every move should be in the direction of greater freedom of trade with the greater Republic.

Senator Baldwin attempted to have action on the bill deferred so that members could make more complete investigation. His motion was lost and the bill finally passed fixing the license at \$250.

On motion, Senate Bill No. 25, relating to unsafe and unsightly buildings in Honolulu, was referred to the Committee on Public Lands.

On motion of Senator Baldwin, the election of five members of the Council of State was made the special order of the day for Monday, April 20.

Under suspension of the rules, Senator Brown presented the report of the Judiciary Committee on the revision of the Penal Code. A less radical revision than that proposed by the commission is recommended, and a bill will be introduced to that effect. The report was adopted.

Adjourned.

House of Representatives.

Minister King reported signing by President of bills relating to contested seats in the Legislature and reorganization of the Judiciary Department.

Rep. Winston propounded the following questions to the Attorney General:

"First—What has been done officially by the Attorney General's department in the endeavor to obtain knowledge of the identity of the criminals who committed the outrageous assault on Frank Godfrey on the evening of September 17, 1895?"

"Second—Has any person or persons been held for investigation in the matter?"

"Third—Why was no reward offered for the detection of the criminals?"

"Fourth—What has been done by the Attorney General's department to aid others in obtaining evidence to locate the criminals?"

"Fifth—Has the Attorney General's department had or has it now any statement or evidence connecting people high in position in the community or any Government officers or other persons with the commission on previous knowledge of the said assault?"

"Sixth—What efforts have been made to discover the author of the 'buried alive' posters circulated in Honolulu on or about the 15th of September, 1895, and what have been the results of any efforts, if made?"

"Seventh—Is the Attorney General's department yet engaged in any attempt to obtain knowledge of the identity of the criminals concerned in such assault?"

Senate Bill No. 11, relating to the restriction of Chinese immigration, reported typewritten.

Rep. Winston announced his intention to introduce a bill to provide revenue for the Government by means of an income tax.

Rep. Robertson reported for the Joint Judiciary Committee of the Senate and House of Representatives, to whom were referred the report of the commission appointed in March, 1893, to revise and codify the Penal Laws, having had under consideration the draft of a Penal Code submitted by the commission, beg leave to report as follows:

"We are free to say that the work of the compiler has been carefully and thoroughly done, and though there is much in the proposed code to commend, it makes many changes, the adoption of which we cannot advise at present.

"The adoption of the proposed code in its present form would necessitate the codification of the civil laws upon parallel lines in order to make a complete and uniform system. We do not think the time opportune to make any such radical change but are of the opinion that a compilation of the penal code is out of print.

"After making some few amendments which can be done at this session of the Legislature, the Penal laws should be compiled and published in the same manner as the civil laws were compiled in 1884. This should be done without delay and we recommend that an appropriation be made for the purpose.

"We therefore recommend that the report of the commission be laid upon the table, and we will, with as little delay as possible, submit a bill or bills for the purpose of making such improvements in the Penal laws as seem to be necessary for the present.

CECIL BROWN,
F. S. LYMAN,
W. Y. HOKER,
A. G. M. ROBERTSON,
S. K. KAO.

Senate Bill No. 11, relating to the restriction of Chinese immigration, read third time and unanimously passed.

Rep. Richards made a motion that no bills be introduced into the House after ten days. It was the sense of the House that the opinion of the Senate should be sought in the matter before taking action.

House adjourned at 10:55 a. m.

Forty-fifth Day.

WEDNESDAY, April 15.

After the roll call and reading the Journal of the Senate, Senator Lyman reported, from the Committee on Public Lands, on Section 2 of Senate Bill No. 25. The report was tabled to be taken up with the bill.

Senator Waterhouse gave notice of a bill to amend Chap. 43 of the Laws of 1890, relating to corporations.

Senator Wright's bill relating to a license on live stock importation came up for third reading. Senator Wright moved that the Act go into effect sixty days after publication.

Senator McCandless moved to table the bill, and continued the attack made upon the measure Tuesday. Mr. McCandless believed the bill would give Hawaii's live stock trade with the United States a black eye, and read letters from California people regarding the feeling in that State.

Senator Waterhouse seconded Senator McCandless' motion, which was lost.

On the final vote on the passage of the bill the ayes and noes were called for with the following result:

Ayes—Kauhanu, Lyman, Hocking, Horner, Brown, Wright—6.
Noes—Northrup, Baldwin, McCandless, Waterhouse, Schmidt, Rice, Wilcox—7.

The bill is probably killed for this session.

The bill relating to gambling passed the third reading without a dissenting vote.

Senate Bill No. 11, which came from the House with an amendment adding "coffee" to the lines of work in which Chinese may engage, was taken up, the amendment accepted and the bill finally passed.

House Bill No. 9, for widening Honolulu streets, was read the first time for information, a second time by title, and referred to the Committee on Public Lands and Internal Improvements.

Senate Bill No. 25, on character of buildings within fire limits, was taken up for third reading with the report of the committee. The report of the committee amending Section 2 provides that "it shall be the duty of the Chief Engineer of the Fire Department to inspect all buildings and structures hereafter built within the fire limits of Honolulu, to see that the permits granted by the Commission are complied with according to law and to make report to the Commission."

The report was adopted and the bill passed the final reading, Senator Brown casting the only dissenting vote.

Adjourned.

House of Representatives.

A communication from the Senate announced election of members of the Council of State, set for the order of the day on Monday, April 20th.

Rep. Robertson reported for the Judiciary Committee on "An Act to amend Chapter CVI of the Session Laws of 1892, entitled, 'An Act relating to duties on legacies, bequests and inheritances,' approved January 12, 1893. The report was as follows:

"The object of this bill is to exempt grand-children from paying the tax imposed on legacies bequeathed to them, and thus add to the exemptions provided in the law of 1892.

"As it is necessary to increase the revenue of the Government, your committee are of the opinion that the present law should be broadened instead of narrowed, and for that substitute bill, which is submitted herewith and which repeals that portion of the present law which exempts the brother, sister, wife or widow of a son and the husband of a daughter from the tax.

"We recommend that Bill No. 14 be laid on the table and that the substitute bill pass."

Report laid on the table to be considered with the committee's bill when brought up.

Rep. Bond presented the following report of the select committee on the Act to restrict target-shooting, as follows:

"The undersigned, a minority of your select committee, to whom was referred House Bill No. 18, entitled, 'An Act to restrict target-shooting on Sunday,' having had the same under consideration, beg leave to report as follows:

"Section 2, Chapter 411 of the Session Laws of 1886, provides for the restriction of Sunday amusements to such an extent that they shall not constitute a source of annoyance to that portion of the community which desires to observe the day as a quiet day of rest.

"The growing practice of target-shooting on Sunday, even in the near vicinity of the home for the aged indigent, and apparently carried on more for the sake of the pleasure derived therefrom than from any necessity for it, may be taken as evidence that the law is not generally construed as applying to use of firearms on that day.

"The law fails of being prohibitory, inasmuch as it throws upon private individuals the disagreeable necessity of entering complaint and procuring proof of nuisance before relief can be secured.

"Your committee deplore the growing tendency toward turning the Sabbath into a day for sport rather than repose, but realize the difficulty of dealing with a subject on which public opinion is so divided.

"They nevertheless are of the opinion that, when necessary, the power of the law should be called to the aid of those whose peace and rest have been disturbed, rather than to encourage and abet that which has proved to be a source of annoyance to those who have a right to look to the law for protection.

"Your committee are cognizant of the fact that a large portion of the community of Honolulu and of the people at large are desirous of having the practice of target-shooting on Sunday suppressed and believe that such a procedure would tend to the promotion of morality and of respect for the Government.

"They therefore recommend that the bill be amended to read as follows:

"Section 1 Target-shooting on Sunday is hereby prohibited.

"Section 2. Whoever shall violate the provisions of this Act shall, on conviction before any district magistrate, forfeit and pay the sum of not over ten dollars (\$10) for each offense.

"Section 3 This Act shall take effect from the date of its publication."

E. C. BOND,
E. M. HANUNA.

Report accepted and laid on the table to be considered with the bill.

Rep. Winston presented a petition against target-shooting on Sunday, signed by some of the principal business men of the city and others, about 400 in all.

The person who handed this petition to Rep. Winston asked that the names on the first page only be read. They were duplicates of names on the other pages, picked out on account of their prominence in business circles. Rep. Winston asked that the wish be granted, but there were peculiar looks on the faces of some of the Representatives.

Rep. Richards moved that all the names, with the exception of those on the first page, be read. This being the sentiment of the House, the Secretary omitted the first page.

Rep. Bond presented another petition signed by 277 names, protesting against target-shooting on Sunday.

House Bill No. 15, "An Act to amend Section 21 of Chapter LVII of the Session Laws of 1892, approved November 25, 1892, and further amended by Act 6 of the laws of the Republic of Hawaii, approved the 19th day of July, 1895, relating to the terms of the Circuit Courts," brought up in second reading with the recommendation of the committee to indefinitely postpone.

Report accepted.

Senate Bill No. 8, brought up in first reading with the report of the committee to insert an item, "Compiling and printing civil laws, \$8,000." Report accepted and item inserted.

Bill No. 18, relating to target-shooting on Sunday, made the special order of the day for Saturday.

Substitute House Bill No. 14 taken up in first reading, passed, and referred to the Printing Committee.

Rep. Robertson moved that the work of election of members of the Council of State be made the special order of the day for Tuesday. Carried.

Rep. Hanuna propounded the following questions to the Minister of Foreign Affairs:

"First—Is the Government paying the members of the Hawaiian National Band, now abroad?"

"Second—Do the members support or have they taken the oath of allegiance to the Government?"

Rep. Winston presented a resolution to the effect that no bills be presented in the House after April 26th, unless by members of the Cabinet or upon report of committees. Carried.

House adjourned at 11:50.

An Affidavit.

This is to certify that on May 11th I walked to Melick's drugstore on a pair of crutches and bought a bottle of Chamberlain's Pain Balm for inflammation, rheumatism, which had crippled me up. After using three bottles I am completely cured. I can cheerfully recommend it.—Charles H. Wetzel, Sunbury, Pa.

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